

1 PHILLIP A. TALBERT
2 United States Attorney
3 ROBERT C. ABENDROTH
Assistant United States Attorney
501 I Street, Suite 10-100
4 Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900
5

6 Attorneys for Plaintiff
United States of America
7
8

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 JOSE ALBERTO DIMAS-CAMPOS,
Defendant.
15

CASE NO. 2:22-cr-00139-JAM

**STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
AND ORDER**

DATE: July 9, 2024
TIME: 9:00 a.m.
COURT: Hon. John A. Mendez

17 **STIPULATION**

18 1. By previous order, this matter was set for status on July 9, 2024.

19 2. By this stipulation, the defendant now moves to continue the status conference until

20 **September 10, 2024 at 9:00 a.m.**, and to exclude time between July 9, 2024, and September 10, 2024,
21 under Local Code T4.

22 3. The parties agree and stipulate, and request that the Court find the following:

23 a) The government has tendered discovery pursuant to a protective order, and the
24 government has submitted a plea offer for consideration.

25 b) Defense Counsel requests additional time to review the discovery materials and
26 charges, conduct investigation, research related to the charges, to review and copy the discovery
27 already tendered, to assess the viability of any pretrial motions, and arrange for in-person visits
28 to discuss the plea offer with their client.

c) Defense Counsel believes that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of July 9, 2024 to September 10, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

[CONTINUED ON NEXT PAGE]

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 2, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ ROBERT C. ABENDROTH
ROBERT C. ABENDROTH
Assistant United States Attorney

Dated: July 2, 2024

/s/ *CLEMENTE M. JIMENEZ*
CLEMENTE M. JIMENEZ
Counsel for Defendant
JOSE ALBERTO DIMAS-CAMPOS

ORDER

IT IS SO FOUND AND ORDERED.

Dated: July 02, 2024

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE